IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE)
CENTRE GMBH and WEST PUBLISH	IING)
CORPORATION,) C.A. No. 20-613-SB
Plaintiffs/Counterdefenda	ants,) JURY TRIAL DEMANDED
v.) PUBLIC VERSION
ROSS INTELLIGENCE INC.,))
Defendants/Counterclaim	nant.)

DECLARATION OF BEATRICE B. NGUYEN IN SUPPORT OF ROSS INTELLIGENCE, INC.'S OPPOSITIONS TO COUNTERDEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT NOS. 1-4

OF COUNSEL:
Gabriel M. Ramsey
Warrington S. Parker III
Beatrice B. Nguyen
Joachim B. Steinberg
Jacob Canter
CROWELL & MORING LLP
3 Embarcadero Ctr., 26th Floor
San Francisco, CA 94111

Tel: (415) 986-2800

Matthew J. McBurney Crinesha B. Berry CROWELL & MORING LLP 1001 Pennsylvania Avenue NW Washington, DC 20004 Tel: (202) 624-2500

Dated: September 28, 2023

Public Version Dated: October 12, 2023

David E. Moore (#3983) Bindu A. Palapura (#5370) Andrew L. Brown (#6766)

POTTER ANDERSON & CORROON LLP

Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19801 Tel: (302) 984-6000

dmoore@potteranderson.com bpalapura@potteranderson.com abrown@potteranderson.com

Attorneys for Defendant/Counterclaimant ROSS Intelligence, Inc.

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THOMSON REUTERS ENTERPRISE)
CENTRE GMBH and WEST PUBLISHING)
CORPORATION,) C.A. No. 20-613-SB
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- I, Beatrice B. Nguyen, declare as follows:
- 1. I am a Partner at Crowell & Moring, LLP, lead counsel of record for ROSS
 Intelligence, Inc. I am an attorney admitted to the California Bar and have been admitted *pro hac vice* with this Court. I submit this Declaration in support of ROSS Intelligence, Inc.'s

 ("ROSS") (1) Opposition to Counterdefendants' Motion for Summary Judgment on ROSS's

 Antitrust Counterclaims (No. 1) Separate Products; (2) Opposition to Counterdefendants'

 Motion for Summary Judgment on ROSS's Antitrust Counterclaims (No. 2) Market Definition and Power; (3) Opposition to Counterdefendants' Motion for Summary Judgment on ROSS's

 Antitrust Counterclaims (No. 3) Statute of Limitations; and (4) Opposition to

 Counterdefendants' Motion for Summary Judgment on ROSS's Antitrust Counterclaims (No. 4)

 Injunctive Relief.
- 2. A true and correct copy of ¶ 1745d1 from Phillip E. Areeda and Herbert J. Hovenkamp's *Antitrust Law: An Analysis of Antitrust Principles and Their Application* (August 2023) is attached to this declaration as **Exhibit A**.

- 3. A true and correct copy of the ABA Model Jury Instructions in Civil Antitrust Cases E-90, Instructions for Presence of Two Products, is attached to this declaration as **Exhibit B**.
- 4. A true and correct copy of ¶ 1743 from Phillip E. Areeda and Herbert J. Hovenkamp's *Antitrust Law: An Analysis of Antitrust Principles and Their Application* (August 2023) is attached to this declaration as **Exhibit C**.
- 5. A true and correct copy of ¶ 1744 from Phillip E. Areeda and Herbert J. Hovenkamp's *Antitrust Law: An Analysis of Antitrust Principles and Their Application* (August 2023) is attached to this declaration as **Exhibit D**.
- 6. A true and correct copy of the Reply Report of Defendant/Counterclaimant's Expert James D. Ratliff, Ph.D. (July 20, 2023) is attached to this declaration as **Exhibit E**.
- 7. A true and correct copy of the Report of Defendant/Counterclaimant's Expert James D. Ratliff, Ph.D. (May 31, 2023) is attached to this declaration as **Exhibit F**.
- 8. A true and correct copy of the Report of Defendant/Counterclaimant's Expert L. Karl Branting, J.D., Ph.D. (May 28, 2023) is attached to this declaration as **Exhibit G**.
- 9. A true and correct copy of presentation entitled

 TRCC-00644013 (September 29, 2015) is attached to this declaration as **Exhibit H**.
- 10. A true and correct copy of an email entitled

 Denton-Thomson_000013 (November 30, 2017) is attached to this declaration as

 Exhibit I.
- 11. A true and correct copy of an email entitled

 Denton-Thomson_000034 (November 30, 2017) is attached to this declaration as

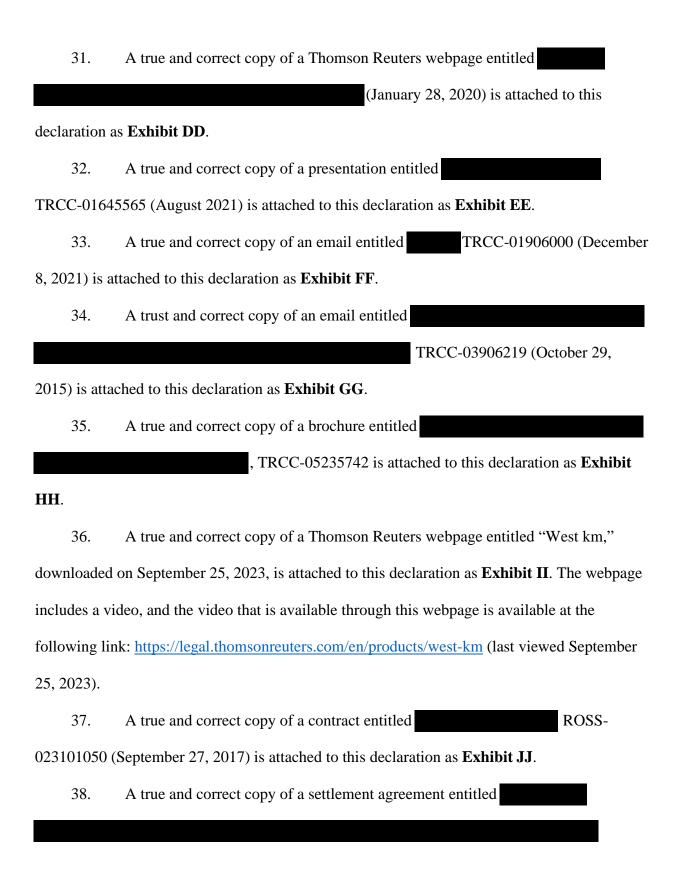
 Exhibit J.

12.	A true and correct copy of a memorandum entitled	
	Denton-Thomson_000036 (November 29, 2017) is attached to this	
declaration as	s Exhibit K.	
13.	A true and correct copy of an email entitled ROSS-	
003528324 (J	January 29, 2017) is attached to this declaration as Exhibit L .	
14.	A true and correct copy of an email entitled ROSS-003510421 (April	
19, 2016), is attached to this declaration as Exhibit M .		
15.	A true and correct copy of an email entitled	
	TRCC-	
00069771 (Se	eptember 1, 2020), is attached to this declaration as Exhibit N .	
16.	The slip sheet for a true and correct copy of a spreadsheet with the Filename	
	TRCC-05818362 (August 1, 2011) is attached to this declaration as	
Exhibit O and the spreadsheet has been lodged with the Court.		
17.	The slip sheet for a true and correct copy of a spreadsheet with the Filename	
	TRCC-05818365 (December 5, 2018) is	
attached to th	is declaration as Exhibit P and the spreadsheet has been lodged with the Court.	
18.	A true and correct copy of an email entitled	
TRCC-01875	817_0001 (July 10, 2017) is attached to this declaration as Exhibit Q .	
19.	A true and correct copy of an email entitled TRCC-	
00735652 (O	ctober 6, 2021) is attached to this declaration as Exhibit R .	
20.	A true and correct copy of Defendant and Counterclaimant ROSS Intelligence	
Inc.'s Respon	ase and Objection to Plaintiffs' Fifth Set of Interrogatories (May 11, 2023) is	
attached to th	is declaration as Exhibit S .	

- 21. A true and correct copy of excerpts from the transcript of the deposition of Anthony Phan on May 8, 2023, is attached to this declaration as **Exhibit T**.
- 22. A true and correct copy of excerpts from the transcript of the deposition of Tomas van der Heijden on May 9, 2023, is attached to this declaration as **Exhibit U**.
- 23. A true and correct copy of excerpts from the transcript of the deposition of Andrew Arruda on May 19, 2023, is attached to this declaration as **Exhibit V**.
- 24. A true and correct copy of excerpts from the transcript of the deposition of Thomason Hamilton on May 4, 2023, is attached to this declaration as **Exhibit W**.
- 25. A true and correct copy of a memorandum entitled

 TRCC-00539872 (May 2019)," is attached to this declaration as **Exhibit X**.
- 26. A true and correct copy of a presentation entitled TRCC-00194341, is attached to this declaration as **Exhibit Y**.
- 27. A true and correct copy of excerpts from the transcript of the deposition of Erik Lindberg on April 24, 2023, is attached to this declaration as **Exhibit Z**.
- 28. A true and correct copy of a presentation entitled TRCC-01779416 (December 2021), is attached to this declaration as **Exhibit AA**.
- 29. A true and correct copy of a presentation entitled TRCC-01878637 is attached to this declaration as **Exhibit BB**.
- 30. A true and correct copy of a brochure entitled

 TRCC-02748376 is attached to this declaration as **Exhibit CC**.



TRCC-02151854 (July 20, 1988) is attached to this declaration as **Exhibit KK**.

- 39. A true and correct copy of an email entitled TRCC-01564207 (May 9, 2022) is attached to this declaration as **Exhibit LL**.
- 40. A true and correct copy of a spreadsheet attached to Exhibit LL that has the Filename TRCC-01564211 is attached to this declaration as **Exhibit MM** and the spreadsheet has been lodged with the Court.
- 41. A true and correct copy of Thomson Reuters's webpage entitled "Legal Data APIs" (downloaded on September 26, 2023) is attached to this declaration as **Exhibit NN**.
- 42. A true and correct copy of Thomson Reuter's webpage entitled "Westlaw US Legislation API" (captured as a screenshot on September 26, 2023) is attached to this declaration as **Exhibit OO**.
- 43. A true and correct copy of excerpts from the transcript of the deposition of Mark Hoffman on April 25, 2023, is attached to this declaration as **Exhibit PP**.
- 44. A true and correct copy of Westlaw Terms and Conditions (September 2023) is attached to this declaration as **Exhibit QQ**.
- 45. A true and correct copy of Westlaw Terms and Conditions, TR-0002812 (July 1, 2017) is attached to this declaration as **Exhibit RR**.
- 46. A true and correct copy of Docket Entry 16-1 from this matter, which is a copy of the Westlaw Research Subscriber Agreement (December 1, 2014) is attached to this declaration as **Exhibit SS**.
- 47. A true and correct copy of a ROSS webpage including the portion entitled "Our Story" (downloaded on September 25, 2023) is attached to this declaration as **Exhibit TT**.

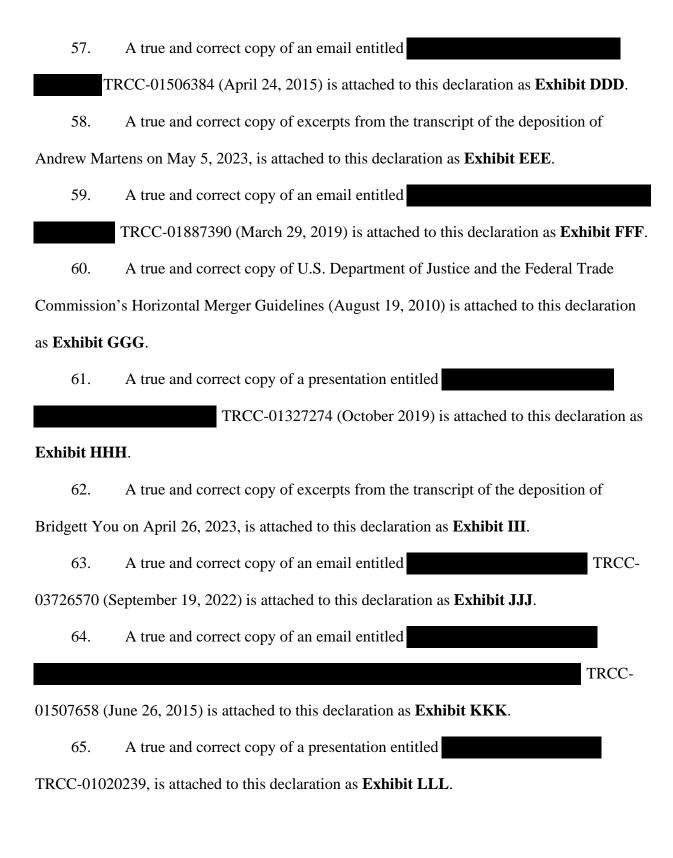
- 48. A true and correct copy of excerpts from the transcript of the deposition of Andrew Arruda on March 30, 2022, is attached to this declaration as **Exhibit UU**.
- 49. A true and correct copy of an email entitled "Re: Congratulations!," ROSS-000201881 (May 12, 2016) is attached to this declaration as **Exhibit VV**.
- 50. A true and correct copy of an email entitled ROSS-009673447 (December 12, 2016) is attached to this declaration as **Exhibit WW**.
- 51. A true and correct copy of excerpts from the transcript of the deposition of Jimoh Ovbiagele on May 2, 2023, is attached to this declaration as **Exhibit XX**.
- 52. A true and correct copy of the Report of Defendant/Counterclaimant's Expert Alan J. Cox, Ph.D. (June 1, 2023) is attached to this declaration as **Exhibit YY**.
 - TR-0000030 is attached to this declaration as **Exhibit ZZ**.
 - 54. A true and correct copy of a memorandum entitled

INOVIA-00000680 (April 9, 2019) is attached to this declaration as

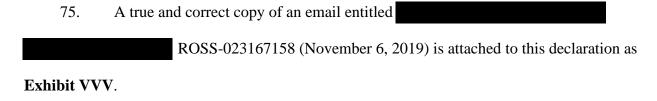
Exhibit AAA.

- 55. A true and correct copy of excerpts from the transcript of the deposition of Michael L. Dahn on May 23, 2023, is attached to this declaration as **Exhibit BBB.**
- 56. A true and correct copy of an email entitled

 TRCC-01052125 (April 16, 2020) is attached to this declaration as Exhibit CCC.



66.	A true and correct copy of an email entitled	
	TRCC-01362714 (March 19,	
2021) is attached to this declaration as Exhibit MMM .		
67.	A true and correct copy of an email entitled	
	TRCC-01477261 (June 26, 2018) is attached to this declaration as	
Exhibit NN	NN.	
68.	The slip sheet for a true and correct copy of a spreadsheet with the Filename	
	TRCC-01621492 (November 19, 2019) is attached to this declaration as	
Exhibit OC	OO and the spreadsheet has been lodged with the Court.	
69.	A true and correct copy of ROSS'S Board Discussion Materials, ROSS-	
010350910	(January 10, 2019) is attached to this declaration as Exhibit PPP .	
70.	A true and correct copy of ROSS'S webpage entitled TR-	
0000031 is	attached to this declaration as Exhibit QQQ.	
71.	A true and correct copy of ROSS-009749504 is	
attached to	this declaration as Exhibit RRR.	
72.	The slip sheet for a true and correct copy of a spreadsheet with the Filename	
	ROSS-023164403 (March 26, 2021) is attached to this	
declaration	as Exhibit SSS and the spreadsheet has been lodged with the Court.	
73.	A true and correct copy of a ROSS article entitled,	
	ROSS-010264561 is attached to this declaration as Exhibit TTT .	
74.	A true and correct copy of a document entitled	
	INOVIA-00004549 (April 12,	
2019) is att	ached to this declaration as Exhibit UUU .	



- 76. A true and correct copy of an email entitled ROSS-009584733 (January 7, 2020) is attached to this declaration as **Exhibit WWW**.
- 77. A true and correct copy of excerpts from the transcript of the deposition of the representative for Y Combinator, Jonathan Levy on May 1, 2023, is attached to this declaration as **Exhibit XXX**.
- 78. A true and correct copy of excerpts from the transcript of the deposition of Sean Shafik on April 28, 2023, is attached to this declaration as **Exhibit YYY**.
- 79. A true and correct copy of a Retently webpage entitled "What is a Good Net Promoter Score (2023 NPS Benchmark)," (captured as a screenshot on September 27, 2023) is attached to this declaration as **Exhibit ZZZ**.
- 80. A true and correct copy of an email entitled ROSS-023089340 (December 11, 2020) is attached to this declaration as **Exhibit AAAA**.
- 81. A true and correct copy of a ROSS'S webpage entitled "Simple Pricing. No Hidden Fees." (captured as a screenshot on September 26, 2023) is attached to this declaration as **Exhibit BBBB**.
- 82. A true and correct copy of excerpts from the transcript of the deposition of Jim Ratliff on July 28, 2023, is attached to this declaration as **Exhibit CCCC**.

- 83. A true and correct copy of Plaintiffs/Counterdefendants Thomson Reuters

 Enterprise Centre GMBH and West Publishing Corporation's Responses to

 Defendant/Counterclaimant, ROSS Intelligence Inc.'s First Set of Counterclaim Interrogatories

 (Nos. 22-28) (May 11, 2023) is attached to this declaration as **Exhibit DDDD**.
- 84. A true and correct copy of ¶ 335c2 from Phillip E. Areeda and Herbert J. Hovenkamp's *Antitrust Law: An Analysis of Antitrust Principles and Their Application* (May 2023) is attached to this declaration as **Exhibit EEEE**.
- 85. A true and correct copy of a Thomson Reuters's article entitled, "Thomson Reuters Completes Acquisition of Casetext, Inc." (August 17, 2023) (downloaded on September 27, 2023) is attached to this declaration as **Exhibit FFFF**.
- 86. A true and correct copy of excerpts from the transcript of the deposition of Mihran A. Yenikomshian on August 2, 2023, is attached to this declaration as **Exhibit GGGG**.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at San Francisco, California on September 28, 2023.

/s/ Beatrice Nguyen	
Beatrice Nguyen	

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